

hcobo@hcounsel.com

From: hcobo@hcounsel.com
Sent: Tuesday, December 12, 2017 6:24 PM
To: 'german.brau@mbcdlaw.com'
Subject: Joe Cruz-Kerkado v. Commonwealth of Puerto Rico / Civil No. 16-2748

Importance: High

Counsel German J. Brau,

As you are aware, I represent the plaintiff in the above reference case. I have discussed the case with my client, and as you may recall, we amended the complaint in compliance with the Court Order to that effect, and did away with any request for monetary compensation from the PRSA, thus limiting the scope of relief sought, to a Declaratory Judgment. While there are multiple motions still pending before the Court, including your client's dispositive motion and plaintiff's Motion for Summary Judgment, I would like to discuss with you a way to find a mutually agreeable solution to the case, thru settlement discussions, which may allow the case to continue without further delay. Could your client agree to grant Mr. Kerkado's facility a certificate for a probationary period, thus allowing him to continue the licensing process with the Commonwealth, in exchange for a voluntary dismissal against the PRSA, with your client's consent? If not, what alternatives does your client propose? Kindly give me a call to discuss the case, I am available tomorrow at (787) 529-7140

Regards,

Humberto Cobo-Estrella, Esq.

COBO-ESTRELLA LAW OFFICE

Civil Trial Attorneys

Tel. (787) 529-7140 | Email hcobo@hcounsel.com

WEB HCOUNSEL.COM | WWW.COBOELAW.COM



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hcobo@hcounsel.com

From: hcobo@hcounsel.com
Sent: Tuesday, December 19, 2017 9:16 AM
To: 'ramon.dapena@mbcdlaw.com'
Cc: 'german.brau@mbcdlaw.com'
Subject: Civil No. 16-2748 Cruz-Kerkado v. Commonwealth of Puerto Rico

Importance: High

Counsel Dapena,

As you are aware, the original Complaint for the above referenced case sought compensation from the PRSA. With Court's permission, the Complaint was later amended and this relief was voluntarily *withdrawn* by the plaintiffs. Now there is no monetary compensation sought from the PRSA. The only relief sought is a Declaratory Judgment against the Commonwealth, and there is no reason why the PRSA should continue as defendant. During our conversation with Counsel Brau, he indicated the PRSA might agree to plaintiffs filing a motion for voluntary dismissal without costs and attorney fees. This would put an end to the case against the PRSA, which is perfect, as the Court has not ruled yet on your dispositive motion, nor plaintiff's Motion for Summary Judgment. Kindly indicate if this is acceptable, so that we may file said motion with PRSA consent. This will simplify the case and avoid additional costs to all parties.

Regards,

Humberto Cobo-Estrella, Esq.

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From: hcobo@hcounsel.com
Sent: Tuesday, December 19, 2017 10:56 AM
To: 'German Brau'; 'ramon.dapena@mbcdlaw.com'
Subject: RE: Civil No. 16-2748 Cruz-Kerkado v. Commonwealth of Puerto Rico

Importance: High

Ok, then we would greatly appreciate to have your response, as soon as possible.

Regard,

Cobo-Estrella, Esq.

From: German Brau [mailto:german.brau@bioslawpr.com]
Sent: Tuesday, December 19, 2017 10:17 AM
To: ramon.dapena@mbcdlaw.com; hcobo@hcounsel.com
Subject: RE: Civil No. 16-2748 Cruz-Kerkado v. Commonwealth of Puerto Rico

Dear Mr. Cobo: I wish to clarify our conversation. You requested that the PRSA grant you a temporary permit, and I told you that was out of the question. I suggested that, instead, you request dismissal, which alternative could be discussed with the PRSA. I also informed you that I will be resigning from the case, and that all proposals should be made to Mr. Dapena.

Counsel Dapena,

As you are aware, the original Complaint for the above referenced case sought compensation from the PRSA. With Court's permission, the Complaint was later amended and this relief was voluntarily *withdrawn* by the plaintiffs. Now there is no monetary compensation sought from the PRSA. The only relief sought is a Declaratory Judgment against the Commonwealth, and there is no reason why the PRSA should continue as defendant. During our conversation with Counsel Brau, he indicated the PRSA might agree to plaintiffs filing a motion for voluntary dismissal without costs and attorney fees. This would put an end to the case against the PRSA, which is perfect, as the Court has not ruled yet on your dispositive motion, nor plaintiff's Motion for Summary Judgment. Kindly indicate if this is acceptable, so that we may file said motion with PRSA consent. This will simplify the case and avoid additional costs to all parties.

Regards,

Humberto Cobo-Estrella, Esq.
COBO-ESTRELLA LAW OFFICE
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If there is any problem with this communication, please call us immediately at (787) 723-1233.

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hcobo@hcounsel.com

From: hcobo@hcounsel.com
Sent: Monday, January 01, 2018 9:23 AM
To: 'ramon.dapena@mbcdlaw.com'
Cc: 'german.brau@mbcdlaw.com'
Subject: RE: Civil No. 16-2748 Cruz-Kerkado v. Commonwealth of Puerto Rico

Importance: High

Happy New Year!

Counsel Dapena,
We have not received a response from you regarding this matter and our inquiry.

Regards,

Humberto Cobo-Estrella, Esq.
COBO-ESTRELLA LAW OFFICE
Civil Trial Attorneys
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Sent: Tuesday, December 19, 2017 9:16 AM
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Cc: 'german.brau@mbcdlaw.com' <german.brau@mbcdlaw.com>
Subject: Civil No. 16-2748 Cruz-Kerkado v. Commonwealth of Puerto Rico
Importance: High

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